



YELLOWSTONE COUNTY ZONING COMMISSION

YELLOWSTONE COUNTY, MONTANA

Monday, June 10, 2013

SUBJECT: Special Review #327 – Technical Training School – Home Site Tactical Academy – 1030 S 48th St West

THROUGH: Candi Beaudry, AICP, Planning Director

FROM: Nicole Cromwell, AICP, Zoning Coordinator, Planner II

REQUEST

This is a special review application to allow the operation of a technical training school on a 5 acre site located in an Agriculture Suburban (A-S) zone located generally at 1030 S 48th St West. The property currently has a vacant dwelling and several out buildings on the property. The legal description is Tract 1 of C/S 2452. The property owners are Brad Ohlin and Laura Sanderson, and the agent is Randy Minkoff. Planning Staff is forwarding a recommendation of conditional approval.

APPLICATION DATA

OWNERS:	Brad Ohlin and Laura Sanderson
AGENT:	Randy Minkoff
LEGAL DESCRIPTION:	Tract 1, C/S 2452
ADDRESS:	1030 S 48 th St West
CURRENT ZONING:	A-S
EXISTING LAND USE:	Vacant dwelling and out buildings
PROPOSED LAND USE:	Home Site Tactical Academy
SIZE OF PARCEL:	5 acres

CONCURRENT APPLICATIONS

None

APPLICABLE ZONING HISTORY

Subject Property

Zone Change #452 – A zone change from A-1 to A-S was approved on July 19, 1994.

Surrounding Property

Two recent special review requests for equestrian training facilities have been approved in the area.

SURROUNDING LAND USE & ZONING

NORTH:	Zoning:	A-1
	Land Use:	Agricultural cropland
SOUTH:	Zoning:	R-150
	Land Use:	Single family homes

EAST:	Zoning:	R-70 (City)
	Land Use:	Vacant undeveloped land
WEST:	Zoning:	A-1
	Land Use:	Agricultural cropland

REASONS

The applicant is requesting a special review to allow the operation of a technical training school in a vacant single family dwelling and on the grounds of the property that include several accessory buildings. The intent of the school – Home Site Tactical Academy – is to familiarize residents with home defense techniques and give them hands on training using simulated scenarios in the house and on the grounds. The current plan is to offer the academy 2 days each month for up to 20 students. The instructors and owners may offer a second training during the month if there is demand. The applicant has indicated the site will be improved by clearing off all of the waste materials, debris, and junk vehicles and remodeling the interior of the home to allow safe use by the academy. The applicants intend to provide hand-to-hand defense techniques and paint ball techniques. No firearms or ammunition will be used during the training. The property has 2 existing access drives off S 48th Street West and these will be used for the training academy. The applicants propose to establish a parking area to the west of the tool shed. A full description of the proposed academy is included in Attachment D.

South 48th St West is a principal arterial street with a 45 mph speed limit and carries approximately 1,000 vehicles per day. Academy students would use the north drive approach to enter and park in the new parking area to the west of the tool shed. The applicants intend to place a temporary sign on the property during the 2-day academy each month. The site plan shows a new parking lot to the west and existing landscaping. It appears the basic layout of the existing buildings and proposed parking lot meets the zoning requirements.

Planning staff reviewed this application and is recommending conditional approval. The re-use of the site will allow this vacant residential structure and 5-acre property to be used on an occasional basis. The Planning staff is recommending several conditions that may mitigate potential impacts from the proposed use.

Special review uses must meet three primary criteria; 1) the application complies with all parts of the Unified Zoning Regulations, 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations and the 2008 Growth Policy, and 3) the application is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts. This application conforms to the first criteria in so far that it is within a zoning district where technical training schools can be allowed by special review approval.

The application also conforms to the second and third criteria. The zoning regulations adopted by the Board of County Commissioners have designated all residential zones as districts where private schools including technical training schools can be located by special review approval. The 2008 Growth Policy encourages new development that is compatible and similar to neighboring properties in form and use. The applicants proposed to clean up the property by removing the waste and debris, remodeling the vacant single family home and holding a training

academy for at least 2-days each month. The current vacant home detracts from the surrounding neighborhood to the south. Vacant and un-used buildings tend to attract vandalism and trespassing. A clean up and re-use of the property will improve the appearance of the property and increase its value. The existing home and grounds are compatible with most uses in the area and other surrounding uses if conditions are imposed to mitigate impacts. The residential neighborhood south of Austrian Pine Drive has a significant evergreen tree screen along the north property lines that will mitigate any line-of-sight impacts from the proposed academy. The applicants intend to maintain the residential character of the property except when the 2-day training sessions are running. Conditions of approval can ensure the mitigation of any potential negative effects on surrounding property.

RECOMMENDATION

The Planning Division recommends conditional approval.

CONDITIONS

1. The approval shall be limited to Tract 1, C/S 2452 generally located at 1030 S 48th Street West.
2. This special review approval is for a technical training school as described in the applicant's letter. No other type of training school is intended or implied by this approval. No other special review use is intended or implied by this approval.
3. The development of the site will include: 1) clean-up and proper disposal of all debris, trash, junk vehicles, discarded household items, wood, tires, unusable machinery; 2) the installation and improvement (with compacted gravel or asphalt) of a student parking lot to the west of the equipment shed (site plan); 3) interior remodeling of the existing single family dwelling; 4) mowing and maintenance of the grounds on a regular and on-going basis and 5) installation of 2 sections of new fencing as shown on the site plan. The overall site development shall be in substantial conformance with the submitted site plan.
4. Internal roads, driveways and parking areas shall be paved or have a compacted gravel surface. If the road, driveway or parking area is graveled, then dust suppression shall be employed as needed.
5. Academy hours of operation shall be limited to the hours 7 am to 10 pm daily.
6. The academy may place 1 (one) temporary sign on the property near the north driveway on days when training sessions occur. The temporary sign shall be no larger than 24 square feet in area and no taller than 6 feet above finished grade. The sign must be placed outside of the clear vision area for the drive approach.
7. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
8. Failure to comply with these conditions of approval of the special review use shall be deemed a violation of the zoning regulations. Enforcement of the regulations and conditions shall be as set forth in Section 27-1601 et seq. of the Unified Zoning Regulations.

****NOTE**** Approval of this Special Review does not constitute approval of a building permit, zoning compliance permit, sign permit, or fence permit. Compliance with all applicable local codes will be reviewed at the zoning compliance permit level.

ZONING COMMISSION ACTION

The County Zoning Commission shall make a recommendation to the Board of County Commissioners to:

1. Deny the application for a special review use.
2. Grant the application for a special review use.
3. Conditionally grant the application for a special review use.
4. Delay action on the application for a period not to exceed thirty (30) days.
5. Give reasons for the recommendation.

Before approving a special review use, the Zoning Commission shall find that the contemplated use:

1. Complies with all requirements of this Resolution;
2. Is consistent with the objectives and purposes of the County Zoning Regulations and the Growth Policy;
3. Is compatible with surrounding land uses or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects.

Further the Zoning Commission shall consider and may impose modifications or conditions concerning, but not limited to the following:

1. Street and road capacity;
2. Ingress and egress to adjoining streets;
3. Off-street parking;
4. Fencing, screening and landscaping;
5. Building bulk and location;
6. Usable open space;
7. Signs and lighting;
8. Noise, vibration, air pollution and similar environmental influences.

The proposed use fits with the existing industrial activity in the area. Residential uses may be impacted and conditions of approval are recommended to mitigate those impacts. The proposed land use complies with the following goals of the Yellowstone County and City of Billings 2008 Growth Policy and the Lockwood Neighborhood Plan:

- Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns.
Approval of this special review is consistent with neighboring properties. Limitations on hours, signage and maintenance requirements will ensure the compatibility of the use. Compliance with the conditions of approval will ensure compatibility with the neighborhood.
- Goal: New developments that are sensitive to and compatible with the character of existing neighborhoods.
The proposed academy will allow a vacant and blighted property to be re-used and the school will be consistent with surrounding developments and consistent with the zoning.

ATTACHMENTS

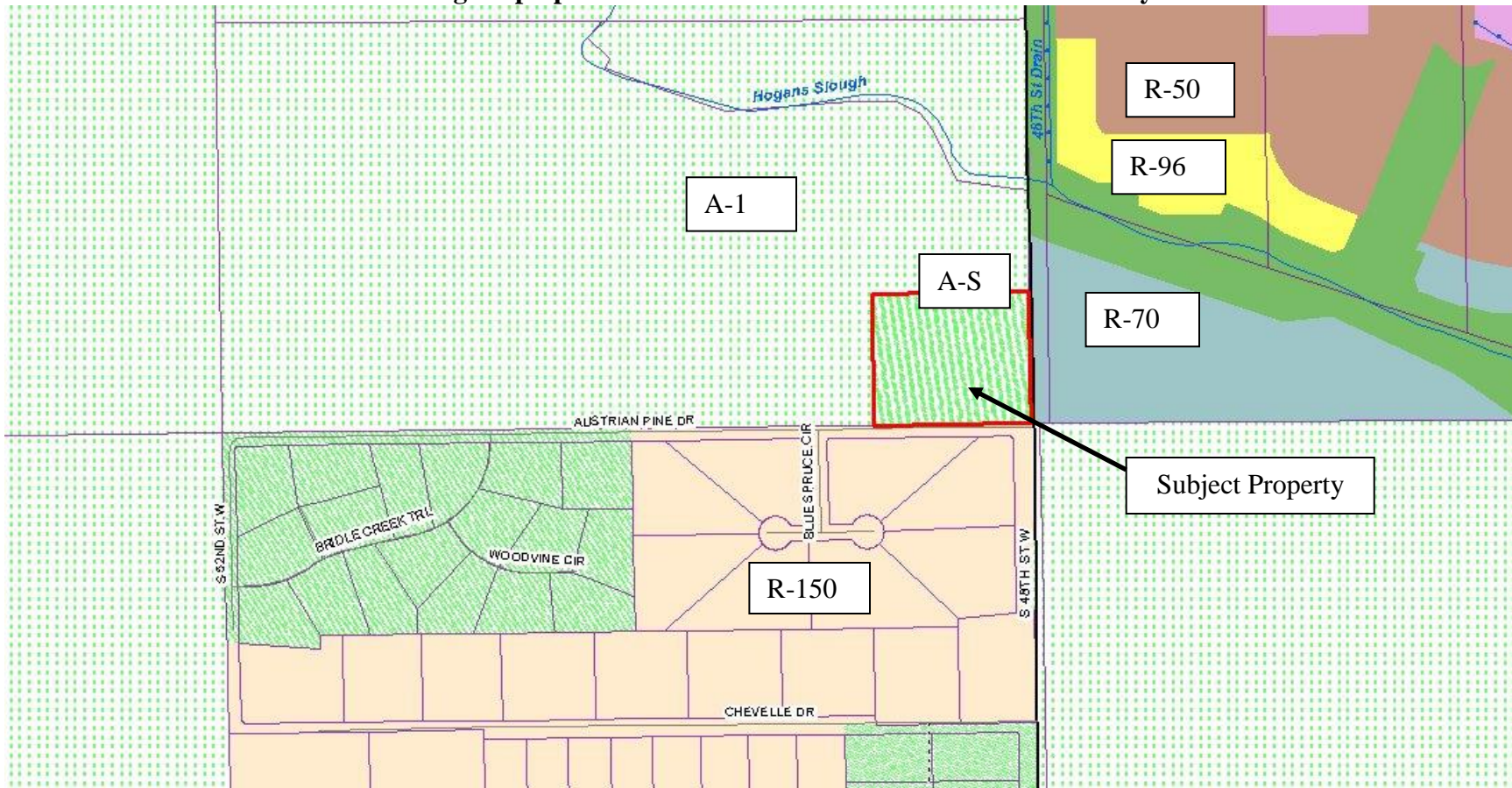
Attachment A: Zoning Map

Attachment B: Site Plan

Attachment C: Site Photos

Attachment D: Applicant's Letter

Attachment A
Zoning Map Special Review #327 – Home Site Tactical Academy



SPECIAL REVIEW:

PROPERTY ADDRESS: 1030 S 48TH ST W.
TOWNSHIP : 01S RANGE : 25 E
CERTIFICATE OF SURVEY: 2452
FULL LEGAL SHOWN BELOW:
S16, T01 S, R25 E, C0S 2452, P-1
TAX ID #: D00621A

SITE PLAN

SCALE: 1"=20'

EXISTING COLOR=BLK
PROPOSED COLOR=RED

DRAWN BY: RJ MINKOFF
DATE: 4-15-13



UNPLATTED

NOTE:
EXISTING LANDSCAPING
TO REMAIN. ALL TRASH,
JUNK AND RUBBISH
TO BE REMOVED.

AUSTRIAN PINE DRIVE

UNPLATTED

SOUTH 48TH ST. WEST

Attachment C
Site Photographs Special Review #327 – Home Site Tactical Academy



Subject property

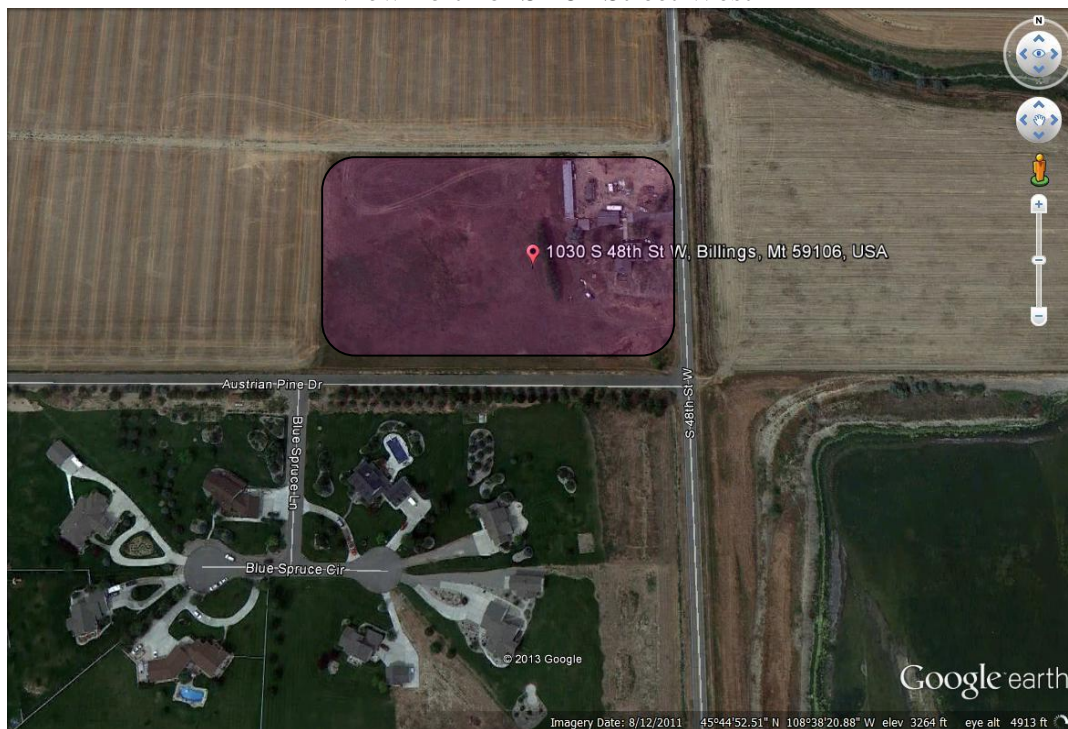


Existing driveway, garage and equipment sheds

Attachment C, continued
Site Photographs Special Review #327 – Home Site Tactical Academy



View north of S 48th Street West



Aerial

Attachment C, continued
Site Photographs Special Review #327 – Home Site Tactical Academy



Subject property view west to garages, debris field and equipment sheds



Existing home – view north west from S 48th St West

SPECIAL REVIEW APPLICATION PROPOSAL

Home-Site Tactical Academy will focus on educating citizens!

As our community continues to grow and evolve, our community will need to embrace new ideas. New ideas often lead to a new business opportunities within our community. Regularly, we see new restaurants and retail stores being built where there was once open land. On the westend of Billings, growth has been considerable, steady, and westerly in direction.

Home -Site Tactical Academy is one of those new ideas! The goal of this business is to enhance safety in and around one's home through knowledge. This knowledge will be offered to citizens who desire training and lecturing on situational awareness as well as basic tactical instruction. Both instructors at Home-Site Tactical Academy have military and law enforcement backgrounds, and have the interest in helping citizens to identify and acknowledge crime risks in and around their homes so they can prevent them.

Why use the property located at 1030 South 48th Street West?

The reuse of old, vacant property would immediately allow for the training to be offered by this academy. A structure is required to teach basic tactical skills to be used when protecting one's home. The home and other out buildings on this property will aid in the realism of the training course. By allowing the approved use of "technical school," citizens interested in home defense strategies would be able to attend this course without having to travel out of state. No other businesses in Montana offer this type of training.

How will public interest be served if this application is approved?

Citizens here in Yellowstone County, as well as the state, are clearly interested in firearms training, firearms ownership, and carrying a firearm concealed. Citizens are also interested in personal self defense as well as home defense. Home-Site Tactical Academy believes there is an abundance of interest in learning situational awareness techniques as well as basic tactical knowledge to protect one's home from an intruder. By allowing the approved use of "Technical school" on the property listed above, citizens will not have to travel out of

state for this information. This would save citizens money. Citizens have requested this type of information so they are prepared for emergencies within their homes. Approval would allow the subject property to become the training facility that Home-Site Tactical Academy needs.

What would be done to the property?

The property in question needs to be cleaned up. Home-Site Tactical Academy proposes to do just that. Improving the landscaping, removal of garbage and debris, which includes some old farming equipment. Repainting of out buildings and cutting down dead trees and shrubs. Remodeling the interior of the existing home. New fencing would be built along two of the out buildings (for a total distance of 60 feet.) No other new construction would be performed. Ninety percent of the training would be conducted inside the home. Citizens who pay for the academy would use a classroom inside the home as well as the entire home for the senario based tactical training. A special review is needed because the approved use of "technical school" is not commonly used on vacant property and because class size would be limited to 20 students. Nearby homeowners who have been made aware of our intensions have told Home-Site Tactical Academy they are ok with the use but do not want the zoning changed. This review would get the

approved use needed by Home-Site Tactical Academy and not change the zoning as requested by nearby property owners. Home-Site Tactical Academy prides itself on the fact that this academy is operated by a professional staff, where transparency is paramount. Home-Site intends to be a friendly neighbor who seeks comment from anyone who has constructive input.

Lastly, this proposal is consistent with the goals and policies of the adopted Growth Policy in many ways.

For example, under Aesthetics Element, Issue #1, the goal is visually appealing communities. By cleaning up the property, repainting it, and organizing it with fencing, the property would not be an eyesore any longer. This improves the image of our community.

Under Public Facilities and Services Element, Issue #2, the goal is safe properties. Again, cleaning up and maintaining a vacant property will improve the image of our community. A clean property would be more sanitary to those using it.

In addition, Issue #3 addresses safety. Any safety issues associated with vacant properties would be eliminated. Transients would not attempt to live there. Parties held by teenage children would be eliminated. Trespassing would be eliminated. The goal is to teach students how to protect their property and loved ones inside.

Under this same category, Issue #7 is concerned with reusing vacant properties. By reusing the structures on this property, Home-Site Tactical Academy believes it is not contributing to urban sprawl. There would be no need to build on open land elsewhere. This would be a cost savings to the academy which would then be passed on to the students attending.

Under Community Health Element, Issue #1, the goal here is to have neighborhoods prepared to react to emergencies. It's natural to think about natural disasters only, but in America, almost daily we read and hear about tragedies that occur in homes. Criminal acts committed by intruders. Citizens both here in our community and all over America are becoming aware of the need for home defense strategies. Home-Site Tactical Academy hopes to give citizens the ability to educate themselves.

Under the same category, Issue #6 expresses the concern over unsafe neighborhoods. The training offered by Home-Site Tactical Academy gives citizens the knowledge, skills, and abilities to protect and promote safety within and around their homes. Arming citizens with the ability to prevent crimes from occurring within one's home is the goal of Home-Site Tactical Academy.

In conclusion, it is important to mention the following: This property is located on 48th St West. The roads can handle the traffic generated by the business, which is proposed to be only two days a month. Later, if there is a demand, Home-Site Tactical Academy would offer a second course. This would bring the total number of days used on the property to only four. Parking will be 50 yards away from 48th Street West, on the west side of the tool shed out building. Access on and off the property will not be on Austrian Pines but rather on the north side of the property. Fencing will be built next to two out buildings. No perimeter fencing will be built. No other new construction will occur. One sign would be erected and taken down each time a class is held. No firearms or ammunition will be used. Noise will not be an issue because the equipment used is not loud and most of the training is conducted inside the home and out of view of the public.

HOME - SITE TACTICAL ACADEMY

HOME DEFENSE STRATEGIES

Randy Minkoff and Brad Ohlin, owner/operators

4511 Robbie Lane

Billings, Montana 59106

406-672-4344

Email; randy.minkoff@gmail.com

INTRODUCTION:

Home-Site Tactical is a service oriented business offering home defense training to citizens residing in or near Yellowstone County. Randy Minkoff will be the President of the business and Brad Ohlin will be the Vice-President. Randy Minkoff will also be the primary instructor and Mr. Ohlin will be the assistant instructor. Day to day business will be conducted from an office located at 4511 Robbie Lane, while all practical training will be conducted at a facility located on 48th Street West. This property is currently zoned as AG-SUBURBAN and will remain zoned under this definition.

MISSION STATEMENT:

The overall objective of Home-Site Tactical is to provide home defense training to interested clients. The training and lesson plans will consist of two main parts. The first is related to law enforcement discussions and topics which teach the clients how to prevent themselves from becoming a victim through situational awareness and vigilance. The second is basic tactical instruction which teaches the client skills to use should action need to be taken within one's home to prevent an intruder from committing a crime.

OVERVIEW:

Home Site Tactical Academy plans to offer a two day training course starting in 2013. Class size will be limited to no more than twenty, and training will occur on weekends once a month. Once at the training facility, students will receive a course overview, and then receive law enforcement related lectures aimed at situational awareness. This awareness would amount to actions that can be taken to prevent a client from becoming a victim at their home. This will be in a classroom setting. Following this, clients would receive instruction on the Cardinal Rules of Weapons Handling. This would be required because the tactical instruction will be utilizing paintball guns. Once weapons familiarity has occurred, clients will receive instruction on shooting techniques from three to 20 feet. Clients will then go through basic shooting drills training, then move over to a three story house for scenario-based training.

Inside the house, clients will receive basic training which would enable them to search and clear their home safely. Topics such as Slow Is Fast, Quick Peek, Slicing the Pie, Weapons Retention, Cover vs. Concealment, and Target ID will be taught. Clients will receive the above training inside the house during daylight hours as well as at low light evening hours. Mr. Ohlin will assist Randy Minkoff during all phases of the above training.

OVERVIEW CONTINUED:

The training list on page three will be reviewed on the second day. Clients will receive repetitive training in addition to the following: Dennis Forelo, owner of Chi Tu Do Martial Arts Academy, will provide a lesson on unarmed defensive tactics that can be used at home should an un-armed intruder enter a household. Sgt. Mayo (or Sgt. Brewer) of the Billings Police Dept., will discuss crime trends and crime statistics for our community and how the justice system works for citizens. Discussions on legal issues related to home defense, the Montana Castle Doctrine, and use of force will also be covered.

Clients will receive approximately 20 hours of training from professionals. A certificate will be issued and a discounted refresher course will be offered if additional training is obtained. The goal of this business is to empower clients with information. With this information, it is hoped the client will gain confidence and understanding, as well as the ability to protect themselves as a last resort from a home intruder. No firearms are used. This is to prevent serious injury as well as to lessen the intimidation factor for the clients. Clients will agree to a criminal history check prior to the class date. If a felony conviction is discovered, that client will not be allowed to attend the training.

OUTLOOK:

Citizens both here in Yellowstone County, as well as our state and the United States, are clearly interested in firearms training as well as Carry Concealed Weapons Permits (CCW). Purchases in firearms and ammunition are leaving store shelves empty and prices for these items are doubling in cost. Companies such as Gunsight and FrontSight offer various types of firearms training which are booked months out. Firearms Training companies such as Practical Firearms Training (owned and operated by Pat Goddell) arrive in Billings and are sold out. The importance for firearms training cannot be emphasized enough.

Home Site Tactical Academy sees the need to train interested clients in the other parts of the equation.....namely.....situational awareness and basic tactical knowledge. At this time there are no other businesses offering this type of training located in the State of Montana. Again, this information is intended for clients such as homeowners, parents, single women and men, and simply those individuals who feel they have need to learn and refine skills they would use should a intruder enter their home.

The costs of this course are intended to match that of the cost of a standard handgun or rifle along with the cost of the ammunition.

SUMMARY:

Randy Minkoff is a veteran of the United States Marine Corps. He has advanced training as an Infantryman, and as a Scout/Swimmer. In addition, Mr. Minkoff trained as a Scout/Sniper and placed first in the First Marine Division Sniper Competition in 1985. Mr. Minkoff was recognized as the top rated Scout/Sniper that year. Mr. Minkoff was employed as a Deputy Sheriff as well as a Billings Police Officer. During his law enforcement career, he spent 12 years on both SWAT teams and has responded to numerous critical incidents and dangerous operations. Mr. Minkoff was a State of Montana Certified Firearms Instructor and has developed a positive reputation for his firearms shooting abilities and tactical abilities.

Brad Ohlin, who will assist Mr. Minkoff during all instruction, is a former veteran of the United States Navy. Mr. Ohlin has a background as a Military Police Officer and as a Physical Security Specialist. During his tenure as a Military Police Officer, Mr. Ohlin performed duties as a base patrolman, field training officer, and patrol supervisor. Mr. Ohlin has extensive exposure to firearms as well as training in Less-than-Lethal munitions. Duties as a Physical Security Specialist included high-value asset protection on Naval Air Installations.

SUMMARY CONTINUED:

High value assets included high ranking pilots/personnel as well as protecting multi-million dollar aircraft.

Lastly, Mr. Ohlin served as a member of the base Tactical Response Team (TRT), which was tasked with the responsibility of addressing threats to the installation with an armed and immediate response.

Both Randy Minkoff and Brad Ohlin currently reside in Yellowstone County. Both feel that offering the above mentioned training opportunities to citizens (who most likely have no military or law enforcement backgrounds) will serve the community in a positive manner.

Both Mr. Minkoff and Mr. Ohlin believe training of this type is equal in importance to firearms training. The intent of this course to provide knowledge that can build client confidence. The intent is to give clients/citizens the ability to help themselves if a unwanted and unexpected situation arises in their home and to provide them with the tools to protect themselves.